

\*E-FILED 06-23-2010\*

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

ALFRED R. MONTANO, MARY R.  
MONTANO,

No. C10-01536 HRL

## Plaintiffs,

## **ORDER CONTINUING INITIAL CASE MANAGEMENT CONFERENCE**

V.

AMERICAN HOME MORTGAGE CORP. dba  
AMERICAN BROKERS CONDUIT, et al.,

## Defendants.

18 This matter is set for an initial case management conference on June 29, 2010.

19 However, the parties have failed to file a Joint case Management Statement as required by Civil  
20 Local Rule 16-9. Additionally, defendants have not yet consented or declined to proceed before  
21 a United States Magistrate Judge.

22 Accordingly, the initial case management conference is **continued to July 13, 2010**,  
23 **1:30 p.m.** The parties shall file a Joint Case Management Statement no later than **July 6, 2010**.  
24 Failure to timely file that statement (or a separate statement if opposing counsel fails to  
25 participate in preparation of a statement) may result in sanctions and, possibly, an order to show  
26 cause why the case should not be dismissed (or default entered if it is the defendant who fails to  
27 file a statement) for failure to prosecute (or defend) the action.

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1           **Additionally, no later than July 6, 2010**, defendants shall file either a consent or  
2    declination to proceed before a United States Magistrate Judge. The forms are available from  
3    the Clerk of the Court and on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

SO ORDERED.

5 || Dated: June 23, 2010

  
\_\_\_\_\_  
HOWARD BALLOU  
UNITED STATES MAGISTRATE JUDGE

1 5:10-cv-01536-HRL Notice has been electronically mailed to:  
2 William Blackford Look , Jr look\_mtr@sbcglobal.net, look\_crml@montereybay.com

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5 Counsel are responsible for distributing copies of this document to co-counsel who have not  
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